COOPER LEVENSON
ATTORNEYS AT LAW

1125 Atlantic Avenue
Atlantic City, NJ 08401
Phone: 609.344.3161
Toll Free: 800.529.3161
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NICHOLAS F. TALVACCHIA
Also Admitted to PA Bar
EMAIL: ntalvacchia@cooperlevenson.com

Direct Phone (609) 572-7544
Direct Fax (609) 572-7545

FILE NO. 63299/00003

May 27, 2022

HAND DELIVERY
Robert Reid
Land Use Regulation Enforcement Officer
Casino Reinvestment Development Authority
15 South Pennsylvania Avenue
Atlantic City, NJ 08401

Re: Applicant: 161-163 Westminster LLC
161 Westminster Avenue
Block 51, Lot 40

Dear Mr. Reid:

We are the attorneys for the Applicant, 161-163 Westminster LLC, with respect to an application for use variance relief to permit a single family dwelling at the above captioned property. Single family use is not a permitted use in the zone. Currently the property is used as a rooming house.

We are providing five (5) copies of the application and plans to the CRDA and its professionals. Enclosed please find:

1. CRDA Land Use Application including Project Narrative;

2. D-Variance Checklist prepared by Sciullo Engineering Services, LLC;

3. Survey prepared by Duffy Dolcy McManus & Roesch dated December 13, 2021;

4. Architectural plans prepared by Artek Studio, LLC entitled "BUILDING DATA, APPLICABLE CODES & REFERENCES, GENERAL NOTES & REMOVAL PLANS" consisting four (4) sheets: A1.0, A2.0, MEP1.0 and MEP2.0; each dated May 12, 2022;

5. Copy of Deed;

6. Copy of the 200 foot property owners list dated February 16, 2022 (an updated list has been requested);

7. Copy of the Certification of Taxes Paid dated April 25, 2022;

8. Escrow Setup Information form;

9. Flash drive with a digital copy of the submission; and

10. Checks in the amount of $300.00 and $2,000.00 for the application and escrow fees, respectively.

Please review the enclosed information and contact me if you require additional information.

Thank you for your kind attention to this matter.

Very truly yours,

Cooper Levenson, P.A.

Nicholas F. Talvacchia

NFT/klk
Enclosures
cc: Scott G. Collins, Esquire *(w/Enclosures, via E-mail)*
Christine A. Nazzaro-Cofone, AICP, PP, Cofone Consulting Group, LLC *(via UPS Overnight Mail, via E-mail)*
Carolyn A. Feigin, PE, PP, ARH Associates *(w/Enclosures, via UPS Overnight Mail, via E-mail)*
Atlantic City Planning Dept. *(w/ Enclosures, via Hand Delivery)*
Atlantic City Engineering Department *(w/ Enclosures via Hand Delivery)*
John Errico *(w/Enclosures, via E-mail)*
Jason T. Sciullo, PE, PP *(w/Enclosures, via E-mail)*

City of Atlantic City
LAND USE APPLICATION

City of Atlantic City: **(Check where applicable)**

☐ **AC Planning Division Jurisdiction**
City of Atlantic City Planning Board
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
609-347-5404

CRDA: **(Check where applicable)**

☒ **NJ CRDA LURED Jurisdiction**
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
609-347-0500

To be completed by staff only.

Date Filed_____ Application No._____
Application Fees: _____ Escrow Deposit_____

Scheduled for:
Review for Completeness _____ Hearing: _____

==========

1. SUBJECT PROPERTY
Location: 161 Westminster Avenue
Tax Map Page _____ Block 51 Lot(s) 40
Page _____ Block _____ Lot(s) _____
Page _____ Block _____ Lot(s) _____

Dimensions Frontage 30.00' Depth 50.00' Total Area 1,500 sf

Zoning District RC

2. APPLICANT
Name 161-163 Westminster LLC
Email John@liberty hudson.com
Address 1005 Main Street, Asbury Park, NJ 07712
Telephone Number 813-298-9737
Applicant is a: Corporation ☒ Partnership ☐ Individual ☐

3. If Owner is other than the applicant, provide the following information on the Owner(s):
Owner's Name Same as Applicant
Email _____
Address _____
Telephone Number _____

4. DISCLOSURE STATEMENT

Pursuant to N.J.S 40:55D-48.1 [Application by corporation or partnership; list of stockholders owning 10% of stock or 10% interest in partnership.] Disclosure of owners of organization and property subject to application. [A corporation or partnership applying to a governing body of a municipality]Any organization making an application for development under this act [for permission to subdivide a parcel of land into six or more lots, or applying for a variance to construct a multiple dwelling of 25 or more family units or for approval of a site to be used for commercial purposes] shall list the names and addresses of all members, stockholders or individual partners (collectively, "interest holders")[owning at least 10% of its stock of any class or at least 10% of the interest in the partnership], including any other organization holding at least a 10% ownership interest in the organization, and shall also identify the owner of the property subject to the application, including any organization holding at least a 10% ownership interest in the property [as the case may be]. In accordance with 40:55D-48.2 [Disclosure of 10% ownership interest of corporation or partnership which is 10% owner of applying corporation or partnership.] Listing of names and addresses of interest holders of applicant and owner organization. If [a corporation or partnership] an organization owns an interest equivalent to 10% or more of another organization the stock of a corporation, or 10% or greater interest in a partnership, subject to the disclosure requirements hereinabove described, [pursuant to section 1 of this act that organization shall list the names and addresses of its interest holders holding 10% or greater interest in the [partnership, as the case may be, and] organization. [This requirement shall be followed by every corporate stockholder or partner in a partnership, until the names and addresses of the stockholders and individual partners, exceeding the 10% ownership criterion established in this act, have been listed.] In accordance with recently added 40:55D-48.3 Disclosure of all officers and trustees of a non-profit organization. A non-profit organization filing an application for development under this act shall list the names and addresses of all officers and trustees of the non-profit organization. In accordance with 40:55D-48.4 [Failure to comply with act; disapproval of application.] Approval of application. *a.* No municipal planning board, board of adjustment or [municipal] governing body shall approve the application of any [corporation or partnership] organization or non-profit organization which does not comply with this act. Any approval not in compliance with this act shall be voidable in a proceeding in lieu of prerogative writ in the Superior Court. b. Any party, including any member of the public, may institute a proceeding in lieu of prerogative writ in the Superior Court to challenge any PROPOSED AMENDMENTS TO MUNICIPAL LAND USE LAW approval granted by a municipal planning board, board of adjustment or governing body on the grounds that such action is void for the reasons stated in subsection a. of this section, and if the court shall find that the approval was not in compliance with this act, the court may declare the approval to be void. In accordance with 40:55D-48.5 [Concealing names of owners;] Organization or non-profit organization failing to disclose; fine. Any [corporation or partnership which conceals] organization or nonprofit organization failing to disclose in accordance with this act, [the names of stockholders owning 10% or more of its stock, or of individual partners owning a 10% or greater interest in the partnership, as the case may be,] shall be subject to a fine of $1,000 to $10,000, which shall be [recovered] recoverable in the name of the municipality in any court of record in the State in a summary manner pursuant to the "Penalty Enforcement Law" (N.J.S.A. 2A:58-1 et seq.).

Name See attached Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____
Name _____ Address _____ Interest _____

5. PROPERTY INFORMATION:

Restrictions, covenants, easements, association by-laws, existing or proposed on the property:
Yes [attach copies]_____ No X Proposed_____
Present use of the premises: Single Family

Note: All deed restrictions, covenants, easements, association bylaws, existing and proposed must be submitted for review and must be written in easily understandable English in order to be approved.

6. **Applicant's Attorney** Nicholas F. Talvacchia, Cooper Levenson, PA
Email ntalvacchia@cooperlevenson.com
Address 1125 Atlantic Avenue, 3rd Floor, Atlantic City, NJ 08401
Telephone Number 609-572-7544
FAX Number 609-572-7545

7. **Applicant's Engineer** Jason Sciullo, Sciullo Engineering Services, LLC
Email jsciullo@sciulloengineering.com
Address 17 S. Gordon's Alley, Suite 3, Atlantic City, NJ 08401
Telephone Number 609-300-5171
FAX Number_____

8. Applicant's Planning Consultant Same as above.
Email _____
Address _____
Telephone Number _____
FAX Number_____

9. **Applicant's Traffic Engineer**_____
Email _____
Address _____
Telephone Number _____
FAX Number_____

10.List any other **Expert** who will submit a report or who will testify for the Applicant: [Attach additional sheets as may be necessary]

Name _____

Field of Expertise_____

Email _____

Address _____

Telephone Number _____

FAX Number_____

11. APPLICATION REPRESENTS A REQUEST FOR THE FOLLOWING:

SUBDIVISION:

_____ Administrative Review of Minor Subdivision Plan

_____Administrative Review of Major Subdivision Plan

_____ Minor Subdivision Approval

_____ Major Subdivision Approval [Preliminary]

_____ Major Subdivision Approval [Final]

Number of lots to be created _____ Number of proposed dwelling units _____ (including remainder lot) (if applicable)

SITE PLAN:

_____Administrative Review of Minor Site Plan

_____ Administrative Review of Major Site Plan

_____ Minor Site Plan Approval

_____ Major Preliminary Site Plan Approval [Phases (if applicable) ___]

_____ Major Final Site Plan Approval [Phases (if applicable) ___]

_____ Amendment or Revision to an Approved Site Plan

Area to be disturbed (square feet) _____

Total number of proposed dwelling units _____

_____Request for Waiver From Site Plan Review and Approval

Reason for request: _____

_____

MISC:

_____ Administrative Review

_____ Appeal decision of an Administrative Officer [N.J.S. 40:55D- 70a]

_____ Map or Ordinance Interpretation of Special Question [N.J.S. 40:55D-70b]

_____ Variance Relief (hardship) [N.J.S. 40:55D-70c(1)]

__X__ Variance Relief (substantial benefit) [N.J.S. 40:55D-70c(2)]

__X__ Variance Relief (use) [N.J.S. 40:55D-70d]

_____ Conditional Use Approval [N.J.S. 40:55D-67]

_____ Direct issuance of a permit for a structure in bed of a mapped street, public drainage way, or flood control basin [N.J.S. 40:55D-34]

_____ Direct issuance of a permit for a lot lacking street frontage [N.J.S. 40:55D-35]

12. Section(s) of Ordinance from which a **variance is requested and justification for said request**: [attach additional pages as needed]
19:66-5.10(a)1i- existing single family home to remain

13. **Waivers Requested** of Development Standards and/or Submission and justification for request.
Requirements: [attach additional pages as needed] N/A

14. Attach a copy of the Notice to appear in the official newspaper of the municipality and to be mailed to the owners of all real property, as shown on the current tax duplicate, located within the State and within 200 feet in all directions of the property, which is the subject of this application. The Notice must specify the sections of the Ordinance from which relief is sought, if applicable.
The publication and the service on the affected owners must be accomplished at least 10 days prior to the date scheduled by the Administrative Officer for the hearing. An affidavit of service on all property owners and a proof of publication must be filed before the application will be complete and the hearing can proceed.

15. **Explain in detail the exact nature of the application and the changes to be made at the premises, including the proposed use of the premises:**
[attach pages as needed] No changes other than general renovations, proposed use is single family
16. Is a public water line available? Yes
17. Is public sanitary sewer available? Yes
18. Does the application propose a well and septic system? No
19. Have any proposed new lots been reviewed with the Tax Assessor to determine appropriate lot and block numbers? No
20. Are any off-tract improvements required or proposed? No
21. Is the subdivision to be filed by Deed or Plat? N/A
22. What form of security does the applicant propose to provide as performance and maintenance guarantees? N/A

23. Other approvals, which may be required and date plans submitted:

	Yes	No	Date Plans Submitted
Atlantic City Municipal Utilities Authority		X	
Atlantic County Health Department		X	
Atlantic County Planning Board		X	
Atlantic County Soil Conservation Dist.		X	
NJ Department of Environmental Protection		X	
Sewer Extension Permit		X	
Sanitary Sewer Connection Permit		X	
Stream Encroachment Permit		X	
Waterfront Development Permit		X	
Wetlands Permit		X	
Tidal Wetlands Permit		X	
Potable Water Construction Permit		X	
Other		X	
NJ Department of Transportation		X	
Public Service Electric & Gas Company		X	

24. Certification from the Tax Collector that all taxes due on the subject property have been paid.

25. List of Maps, Reports and other materials accompanying the application (attach additional pages as required for complete listing).

Quantity	Description of Item
5	Survey prepared by Duffy, Dolcy, McManus & Roesch dated 12/13/2021
5	Architectural plans prepared by Artek Studio, LLC (4 sheets) dated 5/12/22

26. The Applicant hereby requests that copies of the reports of the professional staff reviewing the application be provided to the following of the applicant's professionals:
Specify which reports are requested for each of the applicant's professionals or whether all reports should be submitted to the professional listed.

Applicant's Professional Reports Requested All

Attorney All

Engineer All

CERTIFICATIONS

27. I Nicholas F. Talvacchia certify that the foregoing statements and the materials submitted are true. I further certify that I am the individual applicant or that I am an Officer of the Corporate applicant and that I am authorized to sign the application for the Corporation or that I am a general partner of the partnership applicant.

[If the applicant is a corporation, this must be signed by an authorized corporate officer. If the applicant is a partnership, this must be signed by a general partner.]

BRIANA M. SIMON
Commission # 50103179
Notary Public, State of New Jersey
My Commission Expires
April 18, 2024

Sworn to and subscribed before me this
27th day of May, 20 22

Briana M. Simon
NOTARY PUBLIC

SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Esq., Attorney for Applicant

28. I certify that I am the Owner of the property which is the subject of this application, that I have authorized the applicant to make this application and that I agree to be bound by the application, the representations made and the decision in the same manner as if I were the applicant.

[If the owner is a corporation, this must be signed by an authorized corporate officer. If the owner is a partnership, this must be signed by a general partner.]

BRIANA M. SIMON
Commission # 50103179
Notary Public, State of New Jersey
My Commission Expires
April 18, 2024

Sworn to and subscribed before me this
27th day of May, 20 22

Briana M. Simon
NOTARY PUBLIC

SIGNATURE OF OWNER
Nicholas F. Talvacchia, Attorney for Owner

29. I understand that the sum of $ 2,000 has been deposited in an escrow account (Builder's Trust Account). In accordance with Land Use Fees and Escrow Deposit Requirements, I further understand that the escrow account is established to cover the cost of professional services including engineering, planning, legal and other expenses associated with the review of submitted materials and the publication of the decision by the Board. Sums not utilized in the review process shall be returned. If additional sums are deemed necessary, I understand that I will be notified of the required additional amount and shall add that sum to the escrow account within fifteen (15) days.

5/27/22
Date

SIGNATURE OF APPLICANT
Nicholas F. Talvacchia, Attorney for Applicant

DISCLOSURE STATEMENT

LIST OF NAMES AND ADDRESSES OF OFFICERS, DIRECTORS, AND INDIVIDUALS OR ENTITIES OWNING 10% OR MORE INTEREST IN THE LIMITED LIABILITY COMPANY (N.J.S.A. 40:50D-48.1)

161-163 WESTMINSTER LLC

The persons or entities with a 10% or greater interest in applicant, 161-163 Westminster LLC ("Applicant"):

Liberty Hudson Opportunity Zone Fund I LLC
226 Woodward Avenue
Rutherford, NJ 07070

Patrick Fasano
1005 Main Street,
Asbury Park, NJ 07712

PROJECT NARRATIVE
161 WESTMINSTER AVENUE
(BLOCK 51, LOT 40)
May 2022

Applicant, 161-163 Westminster LLC, proposes to renovate the existing 3 story residential property located at 161 Westminster Avenue, Block 51, Lot 40, Atlantic City New Jersey. The property is located in the RC-Resort Commercial District. The existing residential property consists of 13 bedrooms and functions as a rooming house.

Applicant proposes to revise the design of the residence and relocate the kitchen and family living space to the third floor and reduce the number of bedrooms from 13 to 6. The Applicant requests a use variance to permit single family dwelling use. Applicant also requests variance relief from the parking requirements.

Applicant submits the proposed project advances the purposes of zoning because the single family use will have far less impact on the neighborhood than the impact that the current rooming house has on the neighborhood.

CRDA
www.njcrda.com

15 South Pennsylvania Avenue

Atlantic City, NJ 08401

NJ CRDA – City of Atlantic City – "d" Variance Checklist (Form #11)

REQUIRED APPLICATION ITEMS

Project Name: 161 Westminster Avenue Application # _____

Prepared by: Jay Sciullo, Sciullo Engineering Title Principal Engineer date_____

Note : Five (5) copies of plans and supporting documents are required as the initial submission. Ten (10) copies of plans are required for final sign-off and distribution.

Item #	Description	REQUIRED	SUBMITTED	WAIVER REQUESTED BY APPLICANT	Waiver Recommended by Reviewer
1	Completed Land Use Application Form	X	X		
2	Payment of Required Application and Escrow Fees (19:66-4.3)	X	X		
3	Name and address, email address of property owner and applicant.	X	X		
4	Proof of real estate taxes and other assessments paid.	X	X		
5	Name, signature, license number, seal and address of each professional consultant, as applicable, involved in preparation of required documents.	X	X		
6	Narrative presenting justification for the "d" Variance relief sought that includes a statement of legal basis for granting of variance which must include: a) A list and explanation of the specific special reason(s) demonstrating that the proposed variance relief would not cause detriment to the intent and purpose of the municipality's zone plan and zoning regulations. b) Explanation of how requested variance would be consistent with goals and provisions of the Master Plan. c) Reasons why proposed development would pose no substantial harm to surrounding properties or the municipality in general.	X	X		
7	Color Photographs of site from four (4) different viewpoints.	X	X		

8	Project narrative describing existing conditions, surrounding uses and the proposed development including list of "c" variance(s) and design waiver relief sought, if applicable.	X	X		
9	Title block denoting type of application, tax map sheet, project address, block and lot, and street location.	X	X		
10	Proof of ownership of property. (Report of title, copy of deed AS FILED with the Atlantic County Clerk's Office, affidavit or other documentation evidencing ownership.)	X	X		
11	Consent of property owner to applicant to development project.	X	X		
12	Zoning Schedule listing: Use, lot area, lot width, lot depth, yard setbacks, floor area ratio, density, building coverage, building height and parking requirements, including existing and proposed with conformity status of each.	X	X		
13	Certified List of Property Owners within 200' Radius of the subject property by City of Atlantic City Tax assessor's Office.	X	X		
14	Public Notice in compliance with NJSA 40:55D-12.	X	X		
15	North arrow, scale and graphic scale.	X	X		
16	Signature blocks for Hearing Officer, Land Use Regulation Enforcement Officer, Engineer and Planner.	X	X		
17	Key map(s) at a legible scale showing location of property with existing structures, uses, streets, public right of ways, municipal boundaries, public parks, beaches, environmental sensitive areas, zoning district boundaries within 200 feet of the subject property. Property tax lots within 200 feet of the subject property taken from the most recent municipal tax map records.	X	X		
18	List of any existing or proposed deed restrictions, easements, covenants, Homeowners Association Agreements, etc. as recorded or in recordable form if proposed.	X	N/A		
19	List of development stages or phases, if any.	X	N/A		
20	List of approvals or permits required by other regulatory authorities having jurisdiction and the status of same.	X	N/A		
21	Land Title Survey and topographic survey depicting existing conditions prepared by New	X	X		

	Jersey licensed professional land surveyor. All elevations shall be based on NAVD 1988. The horizontal datum shall on the NJ State Plane Coordinate System (NAD 1983) Survey shall include all existing conditions, including buildings, structures, parking areas with parking space striping, driveways, walkways, , fences, stoops, stairs, porches, easements, walls, patios, curbs, roof overhangs, overhead wires, bay windows, building setbacks of building on-site and adjoining the site, landscape areas, trees, utility poles, flag poles, directional and identification signs, spot elevations, contours in one foot intervals, FEMA Flood Zone, State Claim areas, utility poles, utilities such as water, sanitary sewer, storm sewer, electric, gas, cable, telephone, etc. Improvements in adjoining right-of-ways / roadways / streets including painted traffic markings.				
22	Site Plan depicting proposed buildings, structures, existing and proposed building setbacks, landscape areas, location of identification signage and directional signs, trash enclosure, building setback lines (dashed) and their dimensions from the property lines, parking area plan showing spaces, size and type, aisle width, curb cuts, drives, driveways, and all ingress and egress areas and dimensions.	X	X		
23	Preliminary architectural plan and elevations, and areas and type of each proposed use.	X	X		
24	Electronic copy of the full application including: application, photos, maps, reports, plans and other exhibits in pdf format. Maximum size of file(s) 4 MB.	X	X		

Atlantic County
Document Summary Sheet

ATLANTIC COUNTY CLERK

5901 MAIN ST

MAYS LANDING NJ 08330 1797

ATLANTIC COUNTY, NJ
EDWARD P. McGETTIGAN, COUNTY CLERK
RECORDED 05/06/2021 10:44:30
RCPT # 1599295 RECD BY E-RECORD
NAME FEE
RECORDING FEES 70.00
INSTRUMENT# 2021026786
VOL 14999 PAGE 1 OF 6

Official Use Only

Transaction Identification Number	5162771 5092086
Submission Date*(mm/dd/yyyy)*	04/09/2021
No. of Pages *(excluding Summary Sheet)*	4
Recording Fee *(excluding transfer tax)*	$70.00
Realty Transfer Tax	$520.00
Total Amount	$590.00
Document Type	DEED/NO EXEMPTION FROM REALTY TRANSFER FEE
Municipal Codes	
ATLANTIC CITY	01
Batch Type	L2 - LEVEL 2 (WITH IMAGES)

Return Address *(for recorded documents)*

SURETY TITLE COMPANY
11 EVES DRIVE, SUITE 150
MARLTON, NJ 08053

381154

Additional Information (Official Use Only)

**** DO NOT REMOVE THIS PAGE.***
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF ATLANTIC COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.

Atlantic County
Document Summary Sheet

DEED/NO EXEMPTION FROM REALTY TRANSFER FEE	Type	DEED/NO EXEMPTION FROM REALTY TRANSFER FEE			
	Consideration	$130,000.00			
	Submitted By	SIMPLIFILE, LLC. (SIMPLIFILE)			
	Document Date	04/05/2021			
	Reference Info				
	Book ID	Book	Beginning Page	Instrument No.	Recorded/File Date
	GRANTOR	Name		Address	
		CRAIG 5 LLC			
	GRANTEE	Name		Address	
		161-163 WESTMINISTER LLC		1005 MAIN STREET, ASBURY PARK, NJ 07712	
	Parcel Info				
	Property Type	Tax Dist.	Block	Lot	Qualifier	Municipality
		01	51	40		01

DO NOT REMOVE THIS PAGE.
COVER SHEET [DOCUMENT SUMMARY FORM] IS PART OF ATLANTIC COUNTY FILING RECORD.
RETAIN THIS PAGE FOR FUTURE REFERENCE.

117249

DEED

Prepared by: Joseph R. Dougherty, Esq.

THIS DEED is made on April 5, 2021,

between: **CRAIG 5, LLC**

whose address is: 7227 Ventnor Avenue, Ventnor, NJ 08406

referred to as the Grantor,

and: **161-163 WESTMINISTER, LLC**

whose address is: 1005 Main Street, Asbury Park, NJ 07712

referred to as the Grantee. The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of **ONE HUNDRED THIRTY THOUSAND and 00/100 DOLLARS ($130,000.00)**. The Grantor acknowledges receipt of this money.

Tax Map Reference. Municipality of Atlantic City, Block No. 51, Lot: 40.

Property. The property consists of the land and all the buildings and structures on the land in the City of Atlantic City, County of Atlantic and State of New Jersey. The legal description is:

SEE LEGAL DESCRIPTION ATTACHED HERETO AND MADE PART HEREOF

BEING the same premises conveyed to Craig 5, LLC from Westminster Property, LLC by Deed in Lieu of Foreclosure dated 10/16/2015 and recorded 10/19/2015 in the Atlantic County Clerk/Register's Office in Deed Book 13974, Page 1, Instrument No. 2015061501.

EXHIBIT "A"

LEGAL DESCRIPTION

File No: 117249NF-01

ALL THAT CERTAIN tract or parcel of land and premises lying, being and situate in City of Atlantic City, Atlantic County, and State of New Jersey being more particularly described as follows:

BEGINNING at a point in the easterly line of Westminister Avenue distant seven hundred twenty feet Southwardly of the southerly line of Pacific Avenue and one hundred ninety five feet Eastwardly of the Easterly line of Kentucky Avenue and extending thence;

1) Eastwardly, parallel with Pacific Avenue fifty feet; thence

2) Southwardly, parallel with Westminister Avenue thirty feet; thence

3) Westwardly, parallel with Pacific Avenue fifty feet to the Easterly line of Westminister Avenue; thence

4) Northwardly, along the said Easterly line of Westminister Avenue thirty feet to the point and place of BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY:
BEING premises No. 161 Westminister Avenue.

BEING Tax Block: 51, Tax Lot: 40

The street address of the Property is 161 Westminister Avenue, Atlantic City, NJ 08401.

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A. 46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed by:

_____ _____ **(Seal)**
Lester Argus, Member
Craig 5, LLC

_____ _____ **(Seal)**
Craig Argus, Member
Craig 5, LLC

STATE OF NEW JERSEY, COUNTY OF ATLANTIC; ss:

I CERTIFY that on ~~March~~ apr 5, 2021, **Lester Argus and Craig Argus** personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

(a) was the maker of the attached Deed;
(b) was authorized to and did execute this Deed as **Members** of **Craig 5, LLC**, the entity named in this Deed;
(c) Made this Deed for **$130,000.00** as the full and actual consideration paid or to be paid for the transfer of title. (Such consideration is defined in N.J.S.A. 46:15-5.); and
(d) executed this Deed as the act of the entity

_____
(Print name and title below signature)

RENEE STONE
NOTARY PUBLIC OF NEW JERSEY
My commission expires June 25, 2025

GIT/REP-3
(2-21)
(Print or Type)

State of New Jersey
Seller's Residency Certification/Exemption

SELLER'S INFORMATION

Name(s)
Craig 5, LLC

Current Street Address 7221 Venitnor Ave

City, Town, Post Office Venitnor State NJ Zip Code 08406

PROPERTY INFORMATION

Block(s)	Lot(s)	Qualifier
51	40	

Street Address
161 Westminister Avenue

City, Town, Post Office	State	Zip Code
City of Atlantic City	NJ	08406

Seller's Percentage of Ownership	Total Consideration	Owner's Share of Consideration	Closing Date
100%	$130,000.00	$130,000	~~3/31/2021~~ 4-5-21

SELLER'S ASSURANCES (Check the Appropriate Box) (Boxes 2 through 16 Apply to Residents and Nonresidents)

1. ☐ Seller is a resident taxpayer (individual, estate, or trust) of the State of New Jersey pursuant to the New Jersey Gross Income Tax Act, will file a resident Gross Income Tax return, and will pay any applicable taxes on any gain or income from the disposition of this property.
2. ☐ The real property sold or transferred is used exclusively as a principal residence as defined in 26 U.S. Code section 121.
3. ☐ Seller is a mortgagor conveying the mortgaged property to a mortgagee in foreclosure or in a transfer in lieu of foreclosure with no additional consideration.
4. ☐ Seller, transferor, or transferee is an agency or authority of the United States of America, an agency or authority of the State of New Jersey, the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, the Government National Mortgage Association, or a private mortgage insurance company.
5. ☑ Seller is not an individual, estate, or trust and is not required to make an estimated Gross Income Tax payment.
6. ☐ The total consideration for the property is $1,000 or less so the seller is not required to make an estimated Income Tax payment
7. ☐ The gain from the sale is not recognized for federal income tax purposes under 26 U.S. Code section 721, 1031, or 1033 (CIRCLE THE APPLICABLE SECTION). If the indicated section does not ultimately apply to this transaction, the seller acknowledges the obligation to file a New Jersey Income Tax return for the year of the sale and report the recognized gain.
   ☐ Seller did not receive non-like kind property.
8. ☐ The real property is being transferred by an executor or administrator of a decedent to a devisee or heir to effect distribution of the decedent's estate in accordance with the provisions of the decedent's will or the intestate laws of this State.
9. ☐ The real property being sold is subject to a short sale instituted by the mortgagee, whereby the seller agreed not to receive any proceeds from the sale and the mortgagee will receive all proceeds paying off an agreed amount of the mortgage.
10. ☐ The deed is dated prior to August 1, 2004, and was not previously recorded.
11. ☐ The real property is being transferred under a relocation company transaction where a trustee of the relocation company buys the property from the seller and then sells the house to a third party buyer for the same price.
12. ☐ The real property is being transferred between spouses or incident to a divorce decree or property settlement agreement under 26 U.S. Code section 1041.
13. ☐ The property transferred is a cemetery plot.
14. ☐ The seller is not receiving net proceeds from the sale. Net proceeds from the sale means the net amount due to the seller on the settlement sheet.
15. ☐ The seller is a retirement trust that received an acknowledgment letter from the Internal Revenue Service that the seller is a retirement trust, and is therefore not required to make the estimated Gross Income Tax payment.
16. ☐ The seller (and/or spouse/civil union partner) originally purchased the property while a resident of New Jersey as a member of the U.S. Armed Forces and is now selling the property as a result of being deployed on active duty outside of New Jersey. (Only check this box if applicable and neither boxes 1 nor 2 apply.)

SELLER'S DECLARATION

The undersigned understands that this declaration and its contents may be disclosed or provided to the New Jersey Division of Taxation and that any false statement contained herein may be punished by fine, imprisonment, or both. I furthermore declare that I have examined this declaration and, to the best of my knowledge and belief, it is true, correct and complete. By checking this box ☐ I certify that a Power of Attorney to represent the seller(s) has been previously recorded or is being recorded simultaneously with the deed to which this form is attached.

4-5-21 Date — LESTER HIRGUS, Member Signature (Seller) — Indicate if Power of Attorney or Attorney in Fact

4-5-21 Date — CRAIG HIRGUS, Member Signature (Seller) — Indicate if Power of Attorney or Attorney in Fact

City of Atlantic City
Department of Planning & Development

Suite 506 City Hall
Atlantic City, New Jersey 08401-4603
TEL 609.347.5404
FAX 609.347.5345
Email: bwoolley-dillon@acnj.gov

Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

February 16, 2022

Cooper Levenson
Nicholas F. Talvacchia
1125 Atlantic Ave, 3rd Floor
Atlantic City, NJ 08401

Re: Block 51, Lot 40 - 161 Westminster Ave

Dear Nicholas:

Please accept this letter as a response to your recent request to obtain a Certified List of Property Owners Located within 200 feet of the above referenced property and a list of the Utility Companies. Attached to this letter is the official list.

This should satisfy this request. Please do not hesitate to contact this office in the event that you have any questions or require additional information.

Sincerely Yours,
The City of Atlantic City

Barbara Allen Woolley-Dillon

Barbara Allen Woolley-Dillon, PP, AICP
Director of Planning & Development

:bwd

City of Atlantic City

Buffer Report

Highlighted feature(s)

Subject Property (1)

BLOCK	LOT	QUAL	Location	Owner	Street Addrress	City\State	ZipCode
51	40		161 WESTMINISTER AVE	161 163 WESTMINISTER LLC	1005 MAIN ST	ASBURY PARK, NJ	07712

§

List of adjoining feature(s) that intersect 200 foot buffer from Subject Property.

Adjacent Properties (41)

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
50	5		129 S KENTUCKY AVE	KENTUCKY ASSOCIATES, LLC	1273 BOUND BROOK RD #14	MIDDLESEX, NJ	08846.1490
50	6		139 S KENTUCKY AVE	KENTUCKY ASSOCIATES, LLC	1273 BOUND BROOK RD #14	MIDDLESEX, NJ	08846.1490
50	7		147 S KENTUCKY AVE	KENTUCKY ASSOCIATES, LLC	1273 BOUND BROOK RD, #14	MIDDLESEX, NJ	08846.1490
50	8		151 S KENTUCKY AVE	KENTUCKY ASSOCIATES, LLC	1273 BOUND BROOK RD, #14	MIDDLESEX, NJ	08846.1490
50	9		161 S KENTUCKY AVE	SHRI AV LLC	169 S KENTUCKY AVE	ATLANTIC CITY, NJ	08401
50	10		167 S KENTUCKY AVE	SHRI AV, LLC	169 S KENTUCKY AVE	ATLANTIC CITY, NJ	08401
50	11		177 S KENTUCKY AVE	177 KENTUCKY AVE LLC %STANLEY RLTY	331 TILTON RD PO BOX 5	NORTHFIELD, NJ	08225
50	12		185 S KENTUCKY AVE	177 KENTUCKY AVE LLC%STANLEY REALTY	331 TILTON ROAD P.O BOX 5	NORTHFIELD, NJ	08225
50	13		195 S KENTUCKY AVE	KENTUCKY & BDWK ASSOC C/O BECKMAN	331 TILTON ROAD P.O BOX 5	NORTHFIELD, NJ	08225
50	21		164 WESTMINSTER AVE	SHRI AV LLC	169 S KENTUCKY AVE	ATLANTIC CITY, NJ	08401
50	22		150 WESTMINSTER AVE	BURKE,CATHERINE D & DECENSO DONATA	164 S ST. JAMES PLACE	ATLANTIC CITY, NJ	08401
50	23		148 WESTMINSTER AVE	148 WESTMINSTER LLC	1616 PACIFIC AVE 600	ATLANTIC CITY, NJ	08401
50	24		146 WESTMINISTER AVE	KENTUCKY ASSOCIATES, LLC	1273 BOUND BROOK RD, #14	MIDDLESEX, NJ	08846.1490
50	25		144 WESTMINISTER AVE	142 WESTMINSTER LLC	1616 PACIFIC AVE 600	ATLANTIC CITY, NJ	08401

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
50	26		142 WESTMINSTER AVE	142 WESTMINSTER LLC	1616 PACIFIC AVE 600	ATLANTIC CITY, NJ	08401
50	27		1523 BOARDWALK RR	NY ORANGE DEEDS LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
50	29		1517 BOARDWALK	JAMES CANDY CORP	1519 BOARDWALK	ATLANTIC CITY NJ	08401
50	31		1515 BOARDWALK	ATLANTIC PALACE CONDOMINIUM ASSOC	1515 BOARDWALK	ATLANTIC CITY, NJ	08401
51	28		144 S NEW YORK AVE	BL 51 QOZF LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	29		146 S NEW YORK AVE	BL 51 QOZF LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	30		148 S NEW YORK AVE	BL 51 QOZF LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	31		S NEW YORK AVE	BL 51 QOZF LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	32		156 S NEW YORK AVE	NYORANGEDEEDS LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	33		147 WESTMINISTER AVE	BL 51 QOZF LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	34		149 WESTMINISTER AVE	BL 51 QOZF LLC	PO BOX 737	ASBURY PARK, NJ	07712
51	35		151 WESTMINISTER AVE	BL 51 QOZF LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	36		153 WESTMINISTER AVE	BL 51 QOZF LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	37		155 WESTMINSTER AVE	BL 51 QOZF LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	38		157 WESTMINSTER AVE	BL 51 QOZF LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	39		159 WESTMINSTER AVE	MUKHORTOV, VSEVOLOD	3884 PINE RD	HUNTINGDON VALLEY, PA	19006
51	40		161 WESTMINISTER AVE	161 163 WESTMINISTER LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	41		163 WESTMINISTER AVE	161 163 WESTMINSTER LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
51	42		165 WESTMINSTER AVE	161 163 WESTMINSTER LLC	1005 MAIN ST	ASBURY PARK, NJ	07712

BLOCK	LOT	QUAL	Location	Owner	Street Address	City\State	ZipCode
51	43		167 WESTMINSTER AVE	NEW YORK ORANGE DEEDS LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
51	44		171 WESTMINSTER AVE	NEW YORK ORANGE DEEDS LLC	1005 MAIN ST	ASBURY PARK, NJ	07712
52	14		181 S NEW YORK AVE	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK. NJ	07712
52	15		185 S NEW YORK AVE	NYORANGEDEEDS, LLC	1005 MAIN STREET	ASBURY PARK. NJ	07712
52	16		193 S NEW YORK AVE	201, 205 SO NY AVE LLC & TWO, O ONE	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	17		201 S NEW YORK AVE	201-205 S NEW YORK AVE LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	18		205 S NEW YORK AVE	201-205 S NEW YORK AVE LLC	1005 MAIN STREET	ASBURY PARK, NJ	07712
52	19		209 S NEW YORK AVE	FEELEY'S HOTEL, INC C/O HORN,KAPLAN	164 ST JAMES PLACE	ATLANTIC CITY, NJ	08401

City of Atlantic City - Map

Buffer Report

Developed by Civil Solutions using myiDV

This is a list of utility companies that service the City of Atlantic City.
Please notify all entities listed at least ten (10) days in advance of the public hearing.

ATLANTIC CITY MUNICIPAL UTILITIES AUTHORITY
Attn: Garth Moyle, Deputy Director – (609) 345-3315
P.O. Box 117 @
401 N. Virginia Avenue
Atlantic City, New Jersey 08404-0117
gmoyle@acmua.org

ATLANTIC CITY SEWERAGE COMPANY
Attn: Walter Miller – 609-345-0131
1200 Atlantic Avenue, Suite 300
Atlantic City, New Jersey 08401
bbruckler@acsewerage.com

ATLANTIC COUNTY UTILITIES AUTHORITY
P.O. Box 996
Pleasantville, New Jersey 08232-0996

ATLANTIC CITY ELECTRIC
Attn: Mr. Gregory Brubaker, PE
2542 Fire Road
Egg Harbor Township, New Jersey 08234

SOUTH JERSEY GAS COMPANY
Atlantic Division
Attn: Jim Brun – (609) 645-2690 ext. 6313
111 N. Franklin Boulevard
Pleasantville, New Jersey 08232-0996

CITY OF ATLANTIC CITY
OFFICE OF TAX COLLECTOR
1301 BACHARACH BLVD, STE #126
ATLANTIC CITY, NEW JERSEY 08401
(609) 347-5630 FAX # 347-5621

CERTIFICATION OF PAYMENT

Date: April, 25, 2022

City of Atlantic City
Tax Collector's Office

This certifies that the taxes on Block: 51 Lot: 40

Location: 161 Westminister Ave, Atlantic City, NJ 08401

Property Owner : 161 163 WESTMINISTER LLC

are paid up to date as of 4/19/2022.

Taxes are Delinquent as of N/A.

There is a lien on this property as of N/A.

Collector of Taxes
KACEY B. JOHNSON, CTC

ESCROW SETUP INFORMATION

The Information below is necessary to initially set up your Escrow Account.

Applicant's Name: 161-163 Westminster LLC

Applicant's Address: 1005 Main Street, Asbury Park, NJ 07712

*Applicant's Signature: Nicholas F. Talvacchia, Attorney for Applicant

Applicant's Phone No.: 813-298-9737

Applicant's Email Address: John @libertyhudson.com

Applicant's Date of Birth: N/A

Tax Identification or Social Security Number: 85-3767568

Assigned Escrow #: _____

Should you require assistance or have any questions, please do not hesitate to contact:

Atlantic City Planning:

Lisa D'Alessandro, Board Secretary
City of Atlantic City Planning
1301 Bacharach Boulevard
City Hall-Suite 508
Atlantic City, NJ 08401
Email: LDAlessandro@cityofatlanticcity.org
609-347-5404

CRDA:

Loreta Acevedo, Project Officer
Casino Reinvestment Development Authority
15 S Pennsylvania Avenue
Atlantic City, NJ 08401
Email: lacevedo@njcrda.com
609-347-0500